



BESTPITCH
36535-110303

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***NOVEMBER 3, 2003
9:00 A.M.***

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA

Call to Order--Roll Call.

1. A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.
File #110-132
Approved (7-0)
2. Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket.
3. Topics for discussion by the Mayor and Members of Council.
4. Committee liaison reports by the Mayor and Members of Council.

5. Suggestions for improved Council/citizen communications. The following items were discussed at the September 5, 2003 Council Retreat:

- Provide RVTV coverage of informal Council briefings and joint sessions of Council with certain Council appointed committees
- Brief introduction by the City Manager of items listed under the City Manager's section of the agenda
- Display announcements read by the Mayor at the beginning of the Council meeting on a screen in the Council Chamber
- Televisе a summary of the Council meeting on RVTV Channel 3 immediately following each session
- Electronic voting by the Mayor and Members of Council as a time saving measure

File #132-448

6. Briefings:

- Memorial Avenue Update - 20 minutes

File #514

- Franklin Road and Elm Avenue Update - 20 minutes

File #514

- Boundary Adjustment - 20 minutes

File #444

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE COUNCIL CHAMBER.

BESTPITCH
36535-110303



ROANOKE CITY COUNCIL
REGULAR SESSION

NOVEMBER 3, 2003
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All present.)

The Invocation was delivered by The Reverend E. T. Burton, Pastor, Sweet Union Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, November 6, 2003, at 7:00 p.m., and Saturday, November 8, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring Saturday, November 15, 2003, as America Recycles Day.

File #3-282

Proclamation declaring Saturday, November 15, 2003, as Valley Bookfest Day.

File #3-323

3. CONSENT AGENDA

APPROVED (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Council held on Monday, September 15, 2003.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, November 17, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of an easement across City-owned property along Tinker Creek, identified as Official Tax No. 4321020.

RECOMMENDED ACTION: Concur in the request.
File #28-166

C-3 Qualification of the following persons:

Calvin H. Johnson and Thomas G. Powers, Jr., as members of the Roanoke Civic Center Commission, for terms ending September 30, 2006; and
File #110-192

Minnis E. Ridenour as a Commissioner of The Hotel Roanoke Conference Center Commission, for a term ending June 30, 2005.
File #110-247

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of the Virginia Association of the Blind, Shenandoah Division, to address Council with regard to funding for the Therapeutic Division of Roanoke County Parks and Recreation V.I.P. Program for the visually impaired. John Elliott, President, Spokesperson. (Sponsored by Mayor Smith and Council Member Cutler)

Mr. Elliott advised that the City of Roanoke appropriates \$9,800.00 per year for the Roanoke County Therapeutic Program, \$6,600.00 of which is designated for the Visually Impaired Program; therefore, there appears to be an inequity in funding inasmuch as 40 per cent of program participants reside in the City of Roanoke.

**The matter was referred to the City Manager for report to Council.
File #67**

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

The City Manager introduced John Elic, Director of Technology.
BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Appropriation of Industrial Access Road funds in connection with Blue Hills Drive extension located in the Roanoke Centre for Industry and Technology.

Adopted Budget Ordinance No. 36535-110303
File #207

2. Execution of a Lease Amendment with the Department of General Services to decrease the amount of space being leased in the Commonwealth Building, and permitting the Department of Fire Programs to vacate the building, effective December 1, 2003.

Adopted Ordinance No. 36536-110303
File #373-524

b. DIRECTOR OF FINANCE:

1. Financial Report for the month of September 2003.

Received and filed.
File #1-10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Wyatt called attention to her political campaign for the House of Delegates; whereupon, she expressed appreciation to her opponents, Gary Bowman and William Fralin, for conducting positive campaigns.

File #132-40

Council Member Bestpitch called attention to the Vaccinate and Vote Campaign through the Community Based Immunization Project. He advised that on Election Day, November 4, representatives of the Vaccinate and Vote Program will be present at 27 of the City's voting precincts to present information on the program, and flu vaccinations will be given from 9:00 a.m. to 2:00 p.m. at the Preston Park Elementary School.

File #132-40

Council Member Bestpitch referred to a communication from R. Michael Amyx, Executive Director, Virginia Municipal League, commending the City of Roanoke for its hospitality in hosting the Annual Conference of the Virginia Municipal League on October 19 - 21, 2003. He advised that pursuant to action of the Council at its 9:00 a.m. work session, the VML will be invited to return to Roanoke in 2009.

File #17

Council Member Bestpitch referred to concerns that have been raised regarding the land on which the City plans to construct a stadium/amphitheater at Orange Avenue and Williamson Road. He read an excerpt from a communication from Faulkner and Flynn stating that, "The scope of the investigative work, the extent of the City's removal and the quantitative nature of the risk analysis performed by the City of Roanoke on this site far exceeds the general criteria for performing an environmental assessment in accordance with industry standards. The City of Roanoke has demonstrated with a high degree of certainty that the subject site does not and will not pose any unacceptable risk to human health or the environment."

File #122-529-192

The Mayor raised questions with regard to the new fee structure for police/fire alarm responses in the City of Roanoke; whereupon, the City Manager advised that Council will be provided with information which was previously presented to the Council at the time of enactment of the ordinances.

File #289-70-5

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. John E. Kepley, 2902 Morrison Avenue, S. E., addressed Council in connection with the stadium/amphitheater project. He advised that the project will ultimately result in the demolition of Victory Stadium.

File #122

Mr. Robert E. Gravely, 929 Loudon Avenue, N. W., presented a document proposing that Roanoke's court system investigate charges of mismanagement of the City of Roanoke.

File #377-175

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that the decision of Council to construct a new stadium/amphitheater at Orange Avenue and Williamson Road will cause dire economic and health consequences for future adults and their children due to incomplete testing of a hazardous waste field costing over \$18 million.

File #122

12. CITY MANAGER COMMENTS:

The City Manager recommended that City offices be closed on December 26, 2003 and January 1, 2004. Council adopted Resolution No. 36537-110303 (7-0)

File #184

CERTIFICATION OF CLOSED SESSION. (7-0)

Council appointed/reappointed the following persons to boards and commissions:

Sam G. Oakey, III

File #110-323

Roanoke Public Library Board

for a term ending

ending June 30, 2006.

Juan D. Motley

File #110-304

Youth Services Citizen Board

for a term ending

May 31, 2006

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL FRIDAY, NOVEMBER 14, 2003, AT 12 NOON AT THE SALEM CIVIC CENTER, PARLOR C, 1001 BOULEVARD, SALEM, VIRGINIA, FOR THE REGIONAL LEADERSHIP SUMMIT WITH GENERAL ASSEMBLY REPRESENTATIVES.